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COURT OF APPEAL, FOURTH APPELLATE DISTRICT

DIVISION ONE

STATE OF CALIFORNIA

THE PEOPLE,

Plaintiff and Respondent,

v.

JOHN E. MOCK, JR.,

Defendant and Appellant.

D067845

(Super. Ct. No. SCD251441)

APPEAL from a judgment of the Superior Court of San Diego County, Leo Valentine, Jr., Judge. Affirmed.

Marta I. Stanton, under appointment by the Court of Appeal, for Defendant and Appellant.

No appearance by Respondent.

A jury convicted John E. Mock, Jr. of one count of sale of marijuana (Health & Saf. Code, § 11360, subd. (a)). Mock admitted one prison prior (Pen. Code,¹ § 667.5, subd. (b)) and one serious/violent felony prior conviction (§ 667, subds. (b)-(i)).

¹ All further statutory references are to the Penal Code unless otherwise specified.

The trial court denied Mock's motion to strike the serious/violent felony prior. (*People v. Superior Court (Romero)* 13 Cal.4th 497.) The court did strike the prison prior and sentenced Mock to the lower term of two years, doubled to four years because of the "strike" prior.

Appellate counsel has filed a brief pursuant to *People v. Wende* (1979) 25 Cal.3d 436 (*Wende*) indicating she has been unable to identify any reasonably arguable issues for reversal on appeal. Pursuant to *Wende*, counsel asks this court to review the record for error. We offered Mock the opportunity to file his own brief on appeal, but he has not responded.

STATEMENT OF FACTS

At about 3:00 p.m. on November 27, 2013 a San Diego police officer was at the corner of 12th Street and Imperial Avenue in San Diego. The officer contacted Stephen Reynolds in an effort to purchase drugs from street dealers. The officer gave Reynolds a prerecorded \$20 bill. He then saw Reynolds approach Mock who was standing nearby. Reynolds gave an object to Mock and saw Mock reach into his pocket and pull out an object which he gave to Reynolds.

When Reynolds returned he produced a baggie containing 4.76 grams of marijuana.

Mock was thereafter arrested by uniformed police officers. A search of his person produced the prerecorded \$20 bill.

DISCUSSION

As we have noted, appellate counsel has asked the court to review the record for error as mandated by *Wende, supra*, 25 Cal.3d 436. Pursuant to *Anders v. California* (1967) 386 U.S. 738 (*Anders*), counsel has raised the following possible, but not reasonably arguable issue to assist the court in its review:

Whether the trial court abused its discretion in denying the motion to strike the serious/violent felony prior conviction?

We have reviewed the entire record pursuant to *Wende, supra*, 25 Cal.3d 436 and *Anders, supra*, 386 U.S. 738. We have not identified any reasonably arguable issue for reversal on appeal. Competent counsel has represented Mock on this appeal.

DISPOSITION

The judgment is affirmed.

HUFFMAN, Acting P. J.

WE CONCUR:

NARES, J.

PRAGER, J.*

* Judge of the San Diego Superior Court, assigned by the Chief Justice pursuant to article VI, section 6 of the California Constitution.